

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHRISTOPHER M. DEVINE	)	
Plaintiff	)	C. A. No. 04-12186-JGD
	)	
v.	)	
	)	
STOP AND SHOP COMPANIES,	)	
Defendant	)	
	)	

**SECOND SUPPLEMENT TO DEFENDANT'S PRE-TRIAL MEMORANDUM**

Pursuant to the Court's Order, dated March 7, 2007, the Defendant, The Stop & Shop Supermarket Company LLC ("Stop & Shop," "Defendant" or the "Company"), respectfully submits this Second Supplement to its Pre-Trial Memorandum of April 2, 2007 in the above-referenced action to identify two additional exhibits (Exhibits 12 and 13).

**III. EXHIBITS LIST<sup>1</sup>**

Stop & Shop identifies the following as exhibits for use at trial, in addition to those already identified in its Pre-Trial Memorandum.

12. Letter from Edward V. Lally, M.D. of the University Medical Group regarding Michelle Zainyeh dated September 21, 1998; and
13. Letter from Edward V. Lally, M.D. of the University Medical Group regarding Michelle Zainyeh dated October 27, 2000.

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<sup>1</sup> Defendant reserves the right to introduce exhibits in rebuttal to the evidence submitted by Plaintiff during the course of the trial. This list also does not include exhibits potentially used for impeachment purposes.

Respectfully submitted,

DEFENDANT,  
THE STOP & SHOP SUPERMARKET  
COMPANY LLC,

By its attorneys,

/s/ \_\_\_\_\_  
Daniel B. Klein  
SEYFARTH SHAW LLP  
World Trade Center East  
Two Seaport Lane, Suite 300  
Boston, MA 02210  
617-946-4800

Dated: April 5, 2007

**CERTIFICATE OF SERVICE**

I, Daniel B. Klein, hereby certify that on this 5<sup>th</sup> day of April, 2007, a true copy of the foregoing document was served by overnight delivery to the Plaintiff, Christopher M. Devine, 6 Morgan Road, Mansfield, MA 02048.

/s/ \_\_\_\_\_  
Daniel B. Klein